

By: Thompson

H.B. No. 2096

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the filing of writs of habeas corpus in mental health  
3 cases.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 576.003, Health and Safety Code, is  
6 amended to read as follows:

7 Sec. 576.003. WRIT OF HABEAS CORPUS. A petition for a writ  
8 of habeas corpus must be filed in the court of appeals for the  
9 county in which the order is entered. [~~This subtitle does not limit~~  
10 ~~a person's right to obtain a writ of habeas corpus.~~]

11 SECTION 2. The change in law made by this Act to Section  
12 576.003, Health and Safety Code, applies only to an application for  
13 a writ of habeas corpus filed on or after the effective date of this  
14 Act. An application for a writ of habeas corpus filed before the  
15 effective date of this Act is governed by the law in effect before  
16 the effective date of this Act, and the former law is continued in  
17 effect for that purpose.

18 SECTION 3. This Act takes effect immediately if it receives  
19 a vote of two-thirds of all the members elected to each house, as  
20 provided by Section 39, Article III, Texas Constitution. If this  
21 Act does not receive the vote necessary for immediate effect, this  
22 Act takes effect September 1, 2011.